

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

THOMAS DALLMANN, an individual,

Plaintiff,

vs.

**DL MITCHELL LANDSCAPING, INC.,
a Texas Corporation and David L. Mitchell,
individually,**

Defendants.

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CASE NO. 2:14-cv-00203-J

JURY TRIAL DEMANDED

JOINT REPORT OF SETTLEMENT NEGOTIATIONS

TO THE HONORABLE MARY LOU ROBINSON, U.S. DISTRICT JUDGE:

As required by this Court's Original Rule 16 Scheduling Order, the parties file their Joint Report on Status of Settlement Negotiations, and would show the Court as follows:

I.

SETTLEMENT STATUS

1. The parties conducted their joint conference on Monday, January 26, 2015, with Vicki Wilmarth, as attorney for the Defendants and Philip R. Russ, as attorney for the Plaintiff.

The following is the result of that conference:

2. The parties have previously conferred about the nature and basis of Plaintiff's claims and the Defendants' defenses. The parties agree that meaningful settlement discussions are premature at this time as additional discovery needs to be completed.

3. Pursuant to the Court's original Rule 16 Scheduling Order, the deadline for completion of discovery is April 20, 2015. Written discovery will be initiated and will be

complete in the near future, and certainly in advance of the Court's deadline for the completion of discovery. The parties likewise agree to schedule and take depositions within the Court's deadline for completion of discovery and are working together to schedule necessary depositions.

4. The attorneys are cooperating with each other and believe most issues between them can be resolved without Court intervention. The attorneys request mediation be scheduled after the Court's deadline for completion of discovery, as this would give the parties sufficient time to complete discovery and would lead to a more meaningful mediation.

Respectfully submitted,

LAW OFFICES OF JERRY D. McLAUGHLIN
Jerry D. McLaughlin, SBN 13743300
2700 S. Western St., Suite 1000
Amarillo, Texas 79109
806-371-9110 - Telephone / 806-373-9029 - Fax

- and -

LAW OFFICES OF PHILIP R. RUSS
2700 S. Western St., Suite 1200
Amarillo, Texas 79109
(806) 358-9293 - Telephone / (806) 358-9296 Fax

BY: /s/ Philip R. Russ
Philip R. Russ, SBN 17406000
Attorneys for Plaintiff

Vicki H. Wilmarth, Esq.
BURDETT, MORGAN, WILLIAMSON & BOYKIN
3423 Soncy, Suite 300
Amarillo, Texas 79119
806-358-8116 - Telephone
806-358-3154 - Facsimile

BY: /s/ Vicki Wilmarth
Vicki Wilmarth, SBN: 21664075
Attorney for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of January, 2015, I electronically filed the foregoing document with the Clerk of the Court for the Northern District of Texas, by using the CM/ECF system which will send a notice of electronic filing to the following CM/ECF participant:

Vicki H. Wilmarth, Esq., SBN: 21664075
BURDETT, MORGAN, WILLIAMSON & BOYKIN
3423 Soncy, Suite 300
Amarillo, Texas 79119
806-358-8116 - Telephone
806-358-3154 - Facsimile

By: /s/ Philip R. Russ
Philip R. Russ